MAY-11-2006 15:39

RECEIVED CENTRAL FAX CENTÉR

8374496405

P.006/068 F-207

PTO/SB/25 (09-04)
Approved for use through 07/31/2006, OMB 0851-0031
U.S. Petent and Tredemark Concessors. DE-PARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a callection of information unless it displays a valid OMB control number.

FRMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING | Docket Number (Optional)

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	UVD 0280 IA/UD 268
In re Application of: Phelps et al	
Application No.: 10/625,915	
Filed: July 23, 2003	and the second
For: NON-TOXIC CORROSION-PROTECTION CONVERSION COATES BASED ON RARE EARTH ELEMENTS	
except as provided below, the terminal part of the statutory term of any patent granted on the instant applic the expiration date of the full statutory term of any patent granted on pending roference Application Number on July 23, 2003 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending hereby agrees that any patent so granted on the instant application shall be enforceable only for and during granted on the reference application are commonly owned. This agreement runs with any patent granted binding upon the grantee, its successors or assigns.	patent granted on said reference reference application. The owner such period that it and any patent ton the instant application and is
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorly disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.	
Check either box 1 or 2 below, if appropriate.	
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
2. The undersigned is an attorney or agent of record. Reg. No. 42,695	
Q_{\cdot}	05/11/2006
Signature William A. Jividen	Date
Typed or printed name	
1,1,000	(937) 449-6400
	Telephone Number
Terminal disclaimer fee under 37 CFR 1,20(d) is included.	
E Common American no American and American a	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignce (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324. This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the	

to process) an application. Commonitarily is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including sathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

130.00 OP

98889898 10625915